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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO.     |
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| 10/542,431   | 07/14/2005  | Yasuhiro Yamauchi    | SONYJP 33-1058      | 2750                 |
| 530  | 7590        | 11/29/2007           | EXAMINER            |                      |
| LERNER, DAVID, LITTENBERG,<br>KRUMHOLZ & MENTLIK<br>600 SOUTH AVENUE WEST<br>WESTFIELD, NJ 07090 |             |                      |                     | NWAKAMMA, CHIBUIKE K |
| ART UNIT   |             | PAPER NUMBER         |                     |                      |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/542,431             | YAMAUCHI, YASUHARU  |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Chibuike K. Nwakamma   | 4178                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 July 2005 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____ .                                     |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/31/2006</u>   | 6) <input type="checkbox"/> Other: ____ .                         |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the label names of Figs. 1-2 as described in the specification, i.e., Fig. 1, element 10 should be labeled as “Personal Computer”, Fig. 1, element 20 should be labeled as “CD-R”, Fig. 1, element 30 should be labeled as “CD Player”, Fig. 1, element 34 should be labeled as “Amplifier”, Fig. 1, element 35 should be labeled as “Headphone”, Fig. 2, element 12 should be labeled as “HDD”, Fig. 2, element 200 should be labeled as “Music File”, Fig. 2, element 20 should be labeled as “CD-R”.

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If

the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

2. The disclosure is objected to because of the following informalities:
  - Page 12, Line 12, the phrase “number of byres” is misspelled. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Sako et al (Patent No. 6134201).

Claim 1 (Currently Amended), A recording method for recording data in a recording media by a recording device (Col. 2, lines 25-44), said recording method comprising the steps of:

reading identifying information for identifying the recording media from the recording media (Col. 5, lines 12-37. Also, see Col. 7, line 55-Col. 8, line 7); and

recording the data on the recording media when the read identifying information is stored in the recording device (Col. 7, line 55-Col. 8, line 7).

Claim 2 (Original), The recording method according to claim 1, wherein the step of recording the data includes encoding the data by key data formed by using the identifying information, and recording the encoded data in the recording media (Col. 2, line 60-Col. 3, line 30).

Claim 3 (Currently Amended), A recording method for recording data in a recording media by a recording device (Col. 2, lines 25-44), said recording method comprising the steps of:

preparing identifying information when the identifying information for identifying the recording media is not recorded on the recording media (Col. 4, lines 35-67. Identifying information is prepared by applying an encoder circuit to encode the identifying information, i.e., encoder ID, before it is supplied to a recording apparatus for recording. So, with the encoder ID recorded, the history of the data recording is left on the optical disc which identifies the recording media);

recording the prepared identifying information, i.e., encoder ID, and the data on the recording media, i.e., optical disc (Col. 4, lines 61-67); and

storing the prepared identifying information in the recording device (Col. 4, lines 61-67. When the history of the recording apparatus is left on the optical disc, the encoder ID has been stored).

Claim 4 (Original), The recording method according to claim 3,  
wherein the step of recording the data includes encoding the data by key data  
formed by using the identifying information, and recording the encoded data in the  
recording media (Col. 2, line 60-Col. 3, line 30).

Claim 5 (Currently Amended), The recording method according to claim 3,  
wherein the identifying information is prepared based on information peculiar to  
the recording device (Col. 4, lines 33-40. Information specific for the data recording  
apparatus is supplied from a terminal to form an encoder ID to be recorded on an  
optical disc).

Claim 6 (Currently Amended), A recording method for recording data on a  
recording media by a recording device (Col. 2, lines 25-44), said recording method  
comprising the steps of:

discriminating whether identifying information for identifying a recording media is  
recorded on the recording media (Col. 7, line 55-Col. 8, line 58. Medium ID identifies the  
recording media and the processes of determining whether or not the information  
storage medium has been set to the information storage reading unit and/or whether or  
not an instruction to display the table of contents has been issued are equated as a  
discriminating means);

preparing the identifying information when the identifying information is not  
recorded on the recording media (Col. 4, lines 35-67. Identifying information is prepared

by applying an encoder circuit to encode the identifying information, i.e., encoder ID, before it is supplied to a recording apparatus for recording. So, with the encoder ID recorded, the history of the data recording is left on the optical disc which identifies the recording media) as a result of the step of discriminating (Col. 8, lines 25-58 are determination processes which are equated to as discriminating means);

recording the prepared identifying information and the data on the recording media (Col. 4, lines 61-67);

storing the discriminated identifying information in the recording device (Col. 7, line 4-Col. 8, line 54);

reading the identifying information, i.e., encoder ID, from the recording media when the identifying information is recorded on the recording media as a result of the step of discriminating (Col. 5, lines 12-37. Also, see Col. 7, line 55-Col. 8, line 7); and

recording the data in the recording media when the recording device stores the read identifying information (Col. 7, line 55-Col. 8, line 73254).

Claim 7 (Original), The recording method according to claim 6,  
wherein the step of recording the data includes encoding the data by key data formed by using the identifying information, and recording the encoded data in the recording media (Col. 2, line 60-Col. 3, line 30).

Claim 8 (Currently Amended), The recording method according to claim 6,

wherein the identifying information is prepared based on information peculiar to the recording device (Col. 4, lines 33-40. Information specific for the data recording apparatus is supplied from a terminal to form an encoder ID to be recorded on an optical disc).

Claim 9 (Original), A recording device (Fig. 3) for recording data in a recording media (Col. 2, lines 25-44); said recording device comprising:

reading means (Fig. 2, element 6) for reading from the recording media identifying the recording media (Col. 5, lines 12-37. Also, see Col. 7, line 55-Col. 8, line 7);

storing means (see Fig. 8, elements 419, 411, 420, and 418; Col. 4, lines 61-67. When the history of the recording apparatus is left on the optical disc, the encoder ID has been stored. Also, see Col. 7, lines 4-41) for storing the identifying information; and

discriminating means for discriminating whether the identifying information read by the reading means, i.e., ROM, is stored in the storing means, i.e., CD-ROM, (Col. 7, line 24-Col. 8, line 58. Medium ID identifies the recording media and the processes of determining whether or not the information storage medium has been set to the information storage reading unit and/or whether or not an instruction to display the table of contents has been issued are equated as a discriminating means)

wherein when the discriminating means discriminates that the identifying information read by the reading means is stored in the storing means (Col. 7, line 24-Col. 8, line 58. Medium ID identifies the recording media, reading apparatus ID helps to

read or specify information, and the processes of determining whether or not the information storage medium has been set to the information storage reading unit and/or whether or not an instruction to display the table of contents has been issued are equated as a discriminating means), the data is recorded in the recording media (Col. 4, lines 61-67).

Claim 10 (Original), The recording device (Fig. 3) according to claim 9, wherein the data is encoded by key data formed by using the identifying information and the encoded data is recorded in the recording media (Col. 2, line 60-Col. 3, line 30).

Claim 11 (Currently Amended), A recording device (Fig. 3) for recording data in a recording media, said recording device (Col. 2, lines 25-44) comprising:

discriminating means for discriminating whether identifying information for identifying the recording media is recorded in the recording media (Col. 7, line 55-Col. 8, line 58. Medium ID identifies the recording media and the processes of determining whether or not the information storage medium has been set to the information storage reading unit and/or whether or not an instruction to display the table of contents has been issued are equated as a discriminating means);

preparing means for preparing the identifying information (Col. 4, lines 35-67. Identifying information is prepared by applying an encoder circuit to encode the identifying information, i.e., encoder ID, before it is supplied to a recording apparatus for

recording. So, with the encoder ID recorded, the history of the data recording is left on the optical disc, which identifies the recording media. Therefore, the process of encoding information before it is supplied to a recording apparatus is equated to as a preparing means); and

storing means for storing the identifying information (see Fig. 8, elements 419, 411, 420, and 418; Col. 4, lines 61-67. When the history of the recording apparatus is left on the optical disc, the encoder ID has been stored. Also, see Col. 7, lines 4-41), wherein when the discriminating means discriminates that the identifying information is not recorded in the recording media (Col. 7, line 55-Col. 8, line 58. Medium ID identifies the recording media and the processes of determining whether or not the information storage medium has been set to the information storage reading unit and/or whether or not an instruction to display the table of contents has been issued are equated as a discriminating means. Therefore, when the information storage medium has not been set and/or instruction to display the table of content has not been issued, then the discriminating process has detected that information is not recorded), the preparing means prepares the identifying information (Col. 4, lines 35-67. Identifying information is prepared by applying an encoder circuit to encode the identifying information, i.e., encoder ID, before it is supplied to a recording apparatus for recording. So, with the encoder ID recorded, the history of the data recording is left on the optical disc, which identifies the recording media. Therefore, the process of encoding information before it is supplied to a recording apparatus is equated to as a preparing means), the prepared identifying information, i.e., encoder ID, and the data are recorded in the recording

media, i.e., optical disc, (Col. 4, lines 61-67), and the prepared identifying information is stored in the storing means (Col. 7, line 4-Col. 8, line 54).

Claim 12 (Original), The recording device (Fig. 3) according to claim 11, wherein the data is encoded by key data formed by using the identifying information and the encoded data is recorded in the recording media (Col. 2, line 60-Col. 3, line 30).

Claim 13 (Currently Amended), The recording device (Fig. 3) according to claim 11,

wherein the preparing means prepares the identifying information based on information peculiar to the recording device (Col. 4, lines 33-40. Information specific for the data recording apparatus is supplied from a terminal to form an encoder ID to be recorded on an optical disc).

Claim 14. (Currently Amended) A recording device (Fig. 3) for recording data in a recording media (Col. 2, lines 25-44), said recording device comprising:

reading means (Fig. 2, element 6) for reading from the recording media identifying information for identifying the recording media (Col. 5, lines 12-37. Also, see Col. 7, line 55-Col. 8, line 7);

preparing means for preparing the identifying information (Col. 4, lines 35-67. Identifying information is prepared by applying an encoder circuit to encode the

identifying information, i.e., encoder ID, before it is supplied to a recording apparatus for recording. So, with the encoder ID recorded, the history of the data recording is left on the optical disc, which identifies the recording media. Therefore, the process of encoding information before it is supplied to a recording apparatus is equated to as a preparing means); and

storing means for storing the identifying information (see Fig. 8, elements 419, 411, 420, and 418; Col. 4, lines 61-67. When the history of the recording apparatus is left on the optical disc, the encoder ID has been stored. Also, see Col. 7, lines 4-41),

wherein when the reading means, i.e., ROM, discriminates that the identifying information is not recorded on the recording media, i.e., CD-ROM, (Col. 7, line 24-Col. 8, line 58. Reading apparatus ID has an identification number which is specific to the information medium reading unit and the processes of determining whether or not the information storage medium has been set to the information storage reading unit and/or whether or not an instruction to display the table of contents has been issued are equated as a discriminating means. Therefore, when the information storage medium has not been set and/or instruction to display the table of content has not been issued, then the reading means has discriminated by not specifying information that is specific to the information medium reading unit), the preparing means prepares the identifying information (Col. 4, lines 35-67. Identifying information is prepared by applying an encoder circuit to encode the identifying information, i.e., encoder ID, before it is supplied to a recording apparatus for recording. So, with the encoder ID recorded, the history of the data recording is left on the optical disc, which identifies the recording

media. Therefore, the process of encoding information before it is supplied to a recording apparatus is equated to as a preparing means), the prepared identifying information, i.e., encoder ID, and the data are recorded in the recording media, i.e., optical disc, (Col. 4, lines 61-67), and the prepared identifying information is stored in the storing means (Col. 7, line 4-Col. 8, line 54), and when the reading means discriminates that the identifying information is recorded in the recording media, the data is recorded on the recording media.

Claim 15. (Original) The recording device (Fig. 3) according to claim 14, wherein the data is encoded by key data formed by using the identifying information and the encoded data is recorded in the recording media (Col. 2, line 60-Col. 3, line 30).

Claim 16. (Currently Amended) The recording device (Fig. 3) according to claim 14,

wherein the preparing means prepares the identifying information based on information peculiar to the recording device (Col. 4, lines 33-40. Information specific for the data recording apparatus is supplied from a terminal to form an encoder ID to be recorded on an optical disc).

Claim 17 (Currently Amended), A reproducing method comprising the steps of:

reading identifying information and data from a recording media in which the identifying information and the data, i.e., encoder ID, encoded based on the identifying information are recorded (Col. 5, lines 12-37. Also, see Col. 7, line 55-Col. 8, line 7);

decoding the read data to produce reproducing data based on the read identifying information (Col. 5, lines 24-30. Also, see Col. 11, lines 7-12); and

performing a reproduction using the reproducing data (Col. 5, lines 11-42).

Claim 18. (Currently Amended) A reproducing device (Fig. 3) comprising:

reading means (Fig. 2, element 6) for reading identifying information and data from a recording media in which the identifying information and the data encoded, i.e., encoder ID, based on the identifying information are recorded (Col. 5, lines 12-37. Also, see Col. 7, line 55-Col. 8, line 7);

decoding means for decoding the read data to produce reproducing data based on the identifying information read by the reading means, i.e., Fig. 2, element 6 (Col. 5, lines 24-30. Also, see Col. 11, lines 7-12); and

reproducing means for preparing the reproducing data obtained by the decoding means (Col. 5, lines 11-42. Also, see Col. 11, lines 7-12).

Claim 19. (Original) A recording media (Fig. 3) in which data is recorded and identifying information peculiar to the recording media that is stored in a device used for recording the data is recorded (Col. 4, lines 33-40. Information specific for the data

recording apparatus is supplied from a terminal to form an encoder ID to be recorded on an optical disc).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chibuike K. Nwakamma whose telephone number is 571-270-3458. The examiner can normally be reached on Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hai Tran can be reached on 5712727305. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11/19/2007  
Chibuike Nwakamma

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